

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

**THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS TRUSTEE FOR
GMACM HOME EQUITY LOAN TRUST 2006-HE5,
RESPONDENT**

vs.

**JAMES T. JACKSON AND PAMELA Y. JACKSON,
APPELLANTS**

DOCKET NUMBER WD78497

DATE: DECEMBER 8, 2015

Appeal from:

The Circuit Court of Jackson County, Missouri
The Honorable Mary Frances Weir, Judge

Appellate Judges:

Before Division Three: Joseph M. Ellis, P.J., Karen King Mitchell, J. and Gary D. Witt, J.

Attorneys:

Diane L. Bellquist, for Respondent

James T. Jackson, Appellant Pro-se

Pamela Y. Jackson, Appellant Pro-se

MISSOURI APPELLATE COURT OPINION SUMMARY

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

**THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS TRUSTEE FOR
GMACM HOME EQUITY LOAN TRUST 2006-HE5, RESPONDENT**

v.

JAMES T. JACKSON AND PAMELA Y. JACKSON, APPELLANTS

WD78497

Jackson County, Missouri

Before Division Three Judges: Joseph M. Ellis, P.J., Karen King Mitchell, J. and Gary D. Witt, J.

James and Pamela Jackson, acting *pro se*, appeal from a judgment entered against them in the Circuit Court of Jackson County in favor of Respondent, The Bank of New York Mellon Trust Company as Trustee for the GMACM Home Equity Loan Trust, in a an action brought by Respondent for default on a promissory note.

Appellants bring eight points on appeal. In the first six points, they claim that various factual findings made by the trial court were not supported by the evidence or were against the weight of the evidence. In the seventh point, they contend that the trial court erred in concluding that Respondent had standing to bring an action on the note because its conclusion was based upon evidence that should not have been admitted at trial. In their final point, Appellants contend that the trial court erred in finding that they failed to prove their counterclaims based upon the evidence they presented at trial.

DISMISSED.

Division Three holds:

- (1) The responsibility to provide a meaningful transcript for review rests with the appellant, and this Court cannot consider matters not preserved on the record and contained in an approved transcript.
- (2) Appellants failed to file a transcript in this appeal, and none of their claims can be properly reviewed by this Court without one. Lacking a trial transcript, this Court has no way of knowing what evidence was presented and admitted at trial. Because this deficiency in the record on appeal renders review of Appellants' claims impossible, their appeal must be dismissed.

Opinion by Joseph M. Ellis, Judge

Date: December 8, 2015

This summary is *UNOFFICIAL* and should not be quoted or cited.